

Corrections to Notices of Proposed Summary Rulemaking

**CORRECTIONS TO
NOTICES OF PROPOSED SUMMARY RULEMAKING
Initiated After January 1, 1995**

The Administrative Procedure Act allows an agency to use the summary rulemaking procedure instead of the regular rulemaking procedure for repeals of rules made obsolete by repeal or supersession of an agency's statutory authority or the adoption, amendment, or repeal of rules that repeat verbatim existing statutory authority granted to the agency. An agency initiating summary rulemaking shall file the proposed summary rulemaking with the Governor's Regulatory Review Council and the Secretary of State's Office for publication in the next available issue of the Register. The proposed summary rule takes interim effect on the date of publication in the Register.

Editor's Note: The preamble that accompanied the Notice of Proposed Summary Rulemaking in 2 A.A.R. 824, January 26, 1996, contained some errors. One question was omitted from that preamble and others were listed incorrectly. The correct preamble appears below.

NOTICE OF PROPOSED SUMMARY RULEMAKING

TITLE 13. PUBLIC SAFETY

CHAPTER 7. DEPARTMENT OF PUBLIC SAFETY

POLYGRAPH EXAMINERS

PREAMBLE

1. **Sections Affected**

Article 1	<u>Rulemaking Action</u>
R13-7-101	Repeal
R13-7-102	Repeal
R13-7-103	Repeal
R13-7-104	Repeal
R13-7-105	Repeal
R13-7-106	Repeal
2. **The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):**

Authorizing statute: A.R.S. § 41-1713(A)(3)

Implementing statute: A.R.S. § 41-2992.04, Laws 1991, Ch. 8, § 10, which repealed authorizing legislation A.R.S. §§ 32-2701 through 32-2715, effective January 1, 1993.
3. **The interim effective date of the proposed summary rules:**

January 26, 1996
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name:	Lt. Tom Clinkenbeard Licensing, Permits, and Handgun Clearance Section
Address:	Department of Public Safety P.O. Box 6488 Phoenix, Arizona 85005-6488
Telephone:	(602) 223-2238
Fax:	(602) 223-2928
5. **An explanation of the rules, including the agency's reasons for initiating the rule:**

The Department of Public Safety intends to repeal this Article since the authorizing legislation for licensing commercial polygraph examiners was repealed on January 1, 1993, by A.R.S. § 41-2992.04
6. **A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state.**

Not applicable.
7. **The preliminary summary of the economic, small business, and consumer impact:**

Not applicable according to A.R.S. § 41-1055(D)(2).

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8. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:
Not applicable.
9. The time, place, and nature of the proceedings for the adoption, amendment, or repeal of the rule:
No oral proceedings or hearings are planned. Written comments on the repeal of these rules must be received at the mailing address listed under Question 4, by 5 p.m. on February 26, 1996.
10. An explanation of why summary proceedings are justified:
A.R.S. § 41-1027(A)(1) authorizes use of summary rulemaking when an agency's rules become obsolete by repeal of the agency's statutory authority. The Department's authority to license polygraph examiners was repealed on January 1, 1993.
11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules.
Not applicable.
12. Incorporations by reference and their location in the rules:
None.